

REMARKS

Reconsideration of this application, as amended, is respectfully requested.

In the Final Official Action, the Examiner repeats the rejection of claims 35-54 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,766,189 to Matsuno (hereinafter "Matsuno").

In response, claims 35-54 have been canceled, thereby rendering the rejection thereof moot. Consequently, the Examiner is respectfully requested to withdraw the rejection of claims 35-54 under 35 U.S.C. § 103(a).

Furthermore, new claims 55-72 have been added to further define the patentable invention. New claims 55-72 are fully supported in the original disclosure, for example, as discussed below. Thus, no new matter has been entered into the disclosure by way of the addition of new claims 55-72. Applicants respectfully submit that new independent claims 55, 61 and 67 patentably distinguish over the prior art for at least the reasons set forth below and are allowable and that claims 56-60, 62-66 and 68-72 are at least allowable as being dependent therefrom.

New independent claims 55-72 are intended for "a twice (subsequent) inadvertent clip attachment prevention feature" (see page 5, lines 21-25 and page 16, lines 1-4 of the specification and original claim 15). In addition to "the twice inadvertent clip attachment prevention feature," independent claims 55, 61 and 67 respectively recite the feature of press-fitting the actuating wire and the coupling member (see page 20, lines 14-15 of the specification), the feature of welding the actuating wire and the coupling member (see page 20, line 19 of the specification), and the feature of hooking the actuating wire in the hole

of the coupling member (see page 10, lines 22-24 and from page 18, line 22 to page 19, line 3 of the specification).

Further, since independent claims 55, 61 and 67 recite that the “coupling member is rendered irreclaimable,” the clipping device is a disposable device.

Turning now to the prior art, the Matsuno reference discloses a clip unit released by clipping from the coupling plate removably coupled with the distal end of the wire. Then, after the coupling plate is removed from the wire and a new clip unit engaged with a new coupling plate is coupled with the distal end of the wire, so that the clipping device is reformed. Thus, the clipping device is reusable and the coupling unit is neither rendered irreclaimable nor is a subsequent inadvertent clip attachment prevented.

In the case of using the clipping device as disclosed in Matsuno, when any member other than the clip unit and the coupling plate is reused, the doctor or nurse manually connects the coupling plate and the wire. Therefore, there is a possibility of inadvertent erroneous attachment of the coupling plate to the distal end of the wire. If inadvertent erroneous attachment occurs, the clip unit may drop when the clipping device is inserted into a channel of an endoscope or the coupling plate and the clip unit may undesirably be removed from the distal end of the wire before it firmly clips tissue.

Particularly when a side viewing endoscope or oblique viewing endoscope (as opposed to a direct viewing endoscope) is used, force is generally exerted on the clip unit. In this case, it may be difficult to guide the clip unit out of the tip end of the insertion portion of the scope without fail (see page 4, lines 18-21 of the specification).

With specific reference to the clipping device recited in new independent claim 55, the same patentably distinguishes over the Matsuno reference at least because new

independent claim 55 recites “the coupling member and the actuating wire are irremovably fixed to each other by press working, so that when the clip is clipping tissue, the coupling member is kept at the distal end of the actuating wire while the clip unit is removed from the coupling member” and “the coupling member and the actuating wire are prevented from a subsequent inadvertent clip attachment.”

Likewise, the clipping devices recited in the new independent claims 61 and 67 patentable distinguish over the Matsuno reference at least because new independent claims 61 and 67 recite “the coupling member and the actuating wire are irremovably fixed to each other, so that when the clip is clipping tissue, the coupling member is kept at the distal end of the actuating wire while the clip, unit is removed from the coupling member” and “the coupling member and the actuating wire are prevented from a subsequent inadvertent clip attachment.”

According to the clipping devices recited in the independent claims 55, 61 and 67, the actuating wire and the coupling member are irremovably fixed. Therefore, while the clip is clipping tissue, the coupling member is kept fixed to the distal end of the actuating wire but the clip unit can be removed from the coupling member. Thus, the coupling member is rendered irreclaimable, so that the clip unit is prevented from being attached to the coupling member again. The coupling member is kept fixed at the distal end of the actuating wire, but a new clip unit is prevented from being attached to the coupling member. Since the coupling member rendered irreclaimable is irremovably fixed to the distal end of the actuating wire, a new coupling member cannot be attached to the distal end of the actuating wire, and further, a new clip unit cannot be attached to the coupling member fixed to the distal end of the

actuating wire. Accordingly, it is ensured that a coupling member is prevented from a subsequent inadvertent clip attachment to the distal end of the actuating wire.

For the reasons described above, since the actuating wire and the coupling member are reliably fixed, even when the clip unit of the clipping device is used in a channel of an endoscope, the coupling member and the clip unit are prevented from dropping in a body cavity or the like.

Thus, the clipping devices recited in the independent claims 55, 61 and 67 patentably distinguish over the Matsuno reference in not only that the coupling member and the actuating wire are irremovably fixed but also that the coupling member and the actuating wire are prevented from a subsequent inadvertent clip attachment. The structure for preventing such subsequent inadvertent clip attachment is recited in the independent claims 55, 61 and 67 and is not disclosed or suggested in the Matsuno reference.

In view of the above, it is respectfully submitted that this application is in condition for allowance. Accordingly, it is respectfully requested that this application be allowed and a Notice of Allowance issued. If the Examiner believes that a telephone conference with Applicant's attorneys would be advantageous to the disposition of this case, the Examiner is requested to telephone the undersigned.

Respectfully submitted,

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